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OFFICE OF PETITIONS

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In re Patent No.: 6,913,762 :
Filing Date: July 5, 2005 : LETTER REGARDING PTA
Application No. 09/843,295 :
Filed: July 25, 2001 :
Atty. Dkt. No.: 07039-175001 :

This letter is in response to the "LETTER REGARDING PATENT TERM ADJUSTMENT," filed May 26, 2005. The Office thanks patentees for their good faith and candor in bringing this to our attention.

The correct Patent Term Adjustment ("PTA") at the time of the issuance of the patent is 283 days.

The above-identified identified application matured in to U.S. Pat. No. 6,913,762 on July 5, 2005. The patent issued with a PTA of 286 days. Prior to issuance of the patent, applicants indicated that the calculation of applicants delay (109 days at the time of allowance) appeared to be shorter than appropriate.

A review of the application history reveals that an adjustment of 6 days was attributed to the Office in accordance with 37 CFR 1.702(a)(1). A further adjustment of 430 days in accordance with 37 CFR 1.702(b) was accorded at the time of issuance of the patent.

The adjustment totaling 436 days was reduced 98 days in accordance with 37 CFR 1.704(b) in connection with the reply submitted December 1, 2003 in response to the non-final Office action mailed May 6, 2003.

The adjustment of 436 days was further reduced 6 days in accordance with 37 CFR 1.704(b) in connection with the Notice of Appeal submitted February 11, 2005 in response to the final Office action mailed November 5, 2004.

The adjustment of 436 days was further reduced 41 days in accordance with 37 CFR 1.704(c)(10) in connection with the drawings submitted May 26, 2005.


Moreover, and as indicated by applicants, the adjustment of 436 day is further reduced three days in accordance with 37 CFR 1.704(b) in connection with the reply submitted October 1, 2001 in response to the Notice to File Missing Parts mailed June 28, 2001.

Accordingly, at the time of issuance, the patent was entitled to an adjustment of 283 days.

As applicant is advising us of an error in providing too much patent term adjustment in this application, no fee is due in connection to this matter.

This application is being forwarded to the Certificate of Correction Branch for issuance of a certificate of correction to indicating that the above-identified patent has received an adjustment of 283 days.

Telephone inquiries specific to this matter should be directed to Petitions Attorney Alesia M. Brown at (571) 272-3205.

A handwritten signature in black ink, appearing to read 'Karin Ferriter', with a stylized flourish at the end.

Karin Ferriter
Senior Legal Advisor
Office of Patent Legal Administration
Office of Deputy Commissioner
for Patent Examination Policy

Enclosure: Draft Certificate of Correction